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August 12, 2022

BY ECF

Honorable Brian M. Cogan
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Jennifer Crespo, et al., v. City of New York, et al.,
22-CV-2693 (BMC)

Your Honor:

I am the attorney in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendants in the above-referenced matter. Defendants writes to respectfully request a forty-five (45) day enlargement of time, until September 29, 2022, to respond to plaintiff's discovery requests. This is the first request for an extension of this deadline, and plaintiffs' counsel consents to this request as set forth herein.

By way of background, plaintiffs Jennifer Crespo, Amy Crespo, Mayra Crespo, and Angel Crespo filed the Complaint in this action on May 9, 2022 alleging, *inter alia*, that, on May 9, 2019, the defendant New York Police Department ("NYPD") Officers unlawfully entered their home, falsely arrested them, and subjected them to excessive force. See generally Compl. On June 24, 2022, an initial pre-trial conference was held wherein the Court ordered, *inter alia*, that the parties service their requests for interrogatories and production of documents by July 15, 2022, and respond to the opposing parties' demands by August 15, 2022. See Civil Docket Sheet, Entry dated June 24, 2022.

Defendants make this instant request because defendants have not yet been able to obtain plaintiffs Angel Crespo, Jennifer Crespo, and Amy Crespo's Richmond County District Attorney's Office files and Richmond County Criminal Court files.¹ On August 10, 2022, this

¹ Defendants have produced all New York City Police Department ("NYPD") documents pertaining to plaintiffs' arrests that are in their possession at this time.

Office submitted follow-up requests for these documents. Moreover, defendants have not yet been able to obtain plaintiffs Angel Crespo and Mayra Crespo's medical records. In accordance with the Court's May 11, 2022 order, plaintiff served HIPAA compliant medical releases annexed to the summons and complaint served on the City. Defendants promptly submitted the signed releases to Staten Island University Hospital ("SIUH") to obtain these plaintiffs' medical records, however, to date, no responsive documents have been received by this Office.² As such, defendants are unable to produce these documents in response to plaintiffs' document requests.

For the foregoing reasons, defendants respectfully request an extension of time until September 29, 2022 to respond to plaintiff's document requests.

Defendants thank the Court for its time and attention to this matter.

Respectfully submitted,

Mostafa Khairy /s/
Mostafa Khairy
Assistant Corporation Counsel
Special Federal Litigation Division

cc: **BY ECF**
Marc Augustine Cannan
Attorney for Plaintiffs

² On July 29, 2022, this Office was notified by SIUH via fax that the release for plaintiff Mayra Crespo was deficient and, as such, they could not release the records to defense counsel. It is unclear to the parties why SIUH deemed this HIPAA deficient, however, the parties are currently working together to resolve this issue.